

Appl. No. 10/074,062
Atty. Docket No. 8413M
Amdt. dated 10/18/2004
Reply to Office Action of 6/17/2004
Customer No. 27752

REMARKS

Claims 1-20 are pending for review and consideration. Claim 1, 17, and 20 have been amended to further clarify the invention, support for which can be found in the Specification, as filed, on page 7, lines 23-27. These amendments add no new matter, and entry is requested.

Rejection Under 35 U.S.C. § 112

Claim 1 is rejected under 35 U.S.C. § 112, first paragraph, as allegedly based on a disclosure which is not enabling. Applicants respectfully traverse.

The Office Action alleges that a housing, critical or essential to the practice of the invention, but only an optional ingredient in the claim(s) is not enabled by the disclosure. Applicants respectfully submit that the soil redeposition inhibiting agents alone (in the absence of a carrier, such as a housing or reservoir) is also within the scope of this invention. See, Specification, page 16, lines 31-32. The soil redeposition inhibiting agents may be placed in soil influencing proximity of the soil-containing fabric to be treated, when utilizing the soil redeposition inhibiting agents alone. See, e.g., Specification, page 16, line 31 to page 17, line 2. Further, as disclosed in the Specification on page 16, line 22, the soil redeposition inhibiting agents may be housed in a housing. As such, Applicants respectfully submit that the housing is an optional ingredient, and as such is enabled. Thus, Applicants respectfully submit that the rejection under 35 U.S.C. § 112, first paragraph has been overcome.

Rejections Under 35 U.S.C. § 102

Claims 1-3, 5, 11-13, and 16 were rejected under 35 U.S.C. § 102(a) as being allegedly anticipated by U.S. Patent No. 4,041,205 to Compa *et al.* ("Compa"). Applicants respectfully traverses the rejection.

On page 2 of the Office Action, it alleges that Compa teaches all material limitations of the claims at hand, specifically that Compa discloses an example of a composition comprising a dryer sheet impregnated with polyvinyl alcohol. Applicants respectfully submit that the present invention, as amended, is not disclosed by Compa. Specifically, Applicants respectfully submit that Compa does not disclose, among other elements, a soil redeposition inhibiting agent comprising cyclodextrin, uncomplexed cyclodextrin, class I aldehydes; class II aldehydes; flavanoids; metal salts; zeolite; activated carbon; doped silicas; zinc oxides; cyclomethicones; and mixtures thereof.

Applicants respectfully submit that polyvinyl alcohol, as allegedly disclosed by Compa, does not fall under the soil redeposition inhibiting agents disclosed by the present invention. As

Appl. No. 10/074,062
Atty. Docket No. 8413M
Amdt. dated 10/18/2004
Reply to Office Action of 6/17/2004
Customer No. 27752

such, Applicants respectfully submit that the amended claims are not anticipated by Jones. Applicants respectfully submit that the rejection under 35 U.S.C. § 102 has been overcome.

Rejections Under 35 U.S.C. § 103

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U. S. Patent to Caswell, et al. ("Caswell"). Applicants respectfully traverse

On page 3 of the Office Action, it alleges that it would have been obvious to one of ordinary skill in the art to incorporate well known fabric treatment additives to dryer sheets based on the teachings of Caswell. Applicants respectfully submit that the present invention, as amended, is not disclosed or suggested by Caswell. Specifically, Applicants respectfully submit that Caswell does not disclose, among other elements, a soil redeposition inhibiting agent comprising cyclodextrin, uncomplexed cyclodextrin, class I aldehydes; class II aldehydes; flavanoids; metal salts; zeolite; activated carbon; doped silicas; zinc oxides; cyclomethicones; and mixtures thereof. Applicants respectfully submit that the rejection under 35 U.S.C. § 103 has been overcome.

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U. S. Patent to Barrat, et al. ("Barrat"). Applicants respectfully traverse

On page 3 of the Office Action, it alleges that it would have been obvious to one of ordinary skill in the art to incorporate well known fabric treatment additives to dryer sheets based on the teachings of Barrat. Applicants respectfully submit that the present invention, as amended, is not disclosed or suggested by Barrat. Specifically, Applicants respectfully submit that Barrat does not disclose, among other elements, a soil redeposition inhibiting agent comprising cyclodextrin, uncomplexed cyclodextrin, class I aldehydes; class II aldehydes; flavanoids; metal salts; zeolite; activated carbon; doped silicas; zinc oxides; cyclomethicones; and mixtures thereof. Applicants respectfully submit that the rejection under 35 U.S.C. § 103 has been overcome.

It is submitted that the present invention provides a novel and unobvious soil redeposition inhibiting agent comprising cyclodextrin, uncomplexed cyclodextrin, class I aldehydes; class II aldehydes; flavanoids; metal salts; zeolite; activated carbon; doped silicas; zinc oxides; cyclomethicones; and mixtures thereof. that is nowhere suggested in the cited references.

Succinctly stated, the claimed invention includes a soil redeposition inhibiting agent that is specifically designed to prevent volatile soil redeposition, thereby enhancing the refreshing benefit achieved for fabrics.

Appl. No. 10/074,062
Atty. Docket No. 8413M
Amdt. dated 10/18/2004
Reply to Office Action of 6/17/2004
Customer No. 27752

What is clear from Compa and Barrat is that the patentees therein were not contemplating, or in any way suggesting, soil redeposition inhibiting agents as claimed herein. In this regard, attention is directed to the Abstracts of Compa and Barrat:

An improved article for conditioning fabrics includes at least one fabric conditioning compound, such as a softening agent, and a reinforcing, strengthening or extending material. The fabric conditioning compound and the article comprising it are usually of a waxy nature and are abradable or otherwise transferable to damp, warm fabrics by repeated contacts therewith experienced during tumbling effected in a drying zone, as of an automatic laundry dryer, through which hot drying air normally circulates. When such a softening article is rubbed against fabrics with which it comes in contact in the heat of the drying zone, softener is rubbed off onto the fabrics to be conditioned, after which the fabrics and laundry containing them are dried. The reinforcing or strengthening material is also dried at that time and is either removed from the fabrics by exiting drying air or is desirably held onto the fabrics that were treated, in conjunction with the softening agent. Preferred reinforcing materials are small fibers or particles or natural or synthetic gums or binders. In an aspect of the invention the fabric conditioning compound is employed without reinforcing means and in convenient sheet, strip or other such substrate-free form, preferably with an added humectant or plasticizer. Also described are methods for the use of the softening articles and processes for their manufacture. (Compa)

Laundry additive products having improved machine compatibility containing specific amino-silanes. A preferred execution of the technology is a combination of a flexible substrate and the amino-silane. The claimed additives provide enhanced machine protection especially in relation to enamel coated surfaces. (Barrat)

Clearly, these references in no way contemplate the soil redeposition inhibiting agents of the present invention. In view of the amendments herein, reconsideration and withdrawal of the rejections are requested.

With regard to all claims not specifically mentioned, these are believed to be allowable not only in view of their dependency on their respective base claims and any intervening claims, but also for the totality of features recited therein.

All claims are believed to be in condition for allowance. Should the Examiner disagree, Applicants respectfully invite the Examiner to contact the undersigned attorney for Applicants to arrange for a telephonic interview in an effort to expedite the prosecution of this matter.

Appl. No. 10/074,062
Atty. Docket No. 8413M
Amdt. dated 10/18/2004
Reply to Office Action of 6/17/2004
Customer No. 27752

CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested. No fee is believed to be due for the amendments herein. Should any fee be required, please charge such fee to Procter & Gamble Deposit Account No. 16-2480.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY
By 
Signature

Mark A. Charles
Attorney for Applicant
Registration No. 51,547
Tel. No. (513) 627-4229

Dated: October 18, 2004
Customer Number: 27752